Dear Governor Lujan Grisham:

We write to urge you to protect New Mexico’s children from the harms of fossil fuel pollution by promoting and implementing a one-mile children’s health buffer zone around schools so that no new oil and gas sites are developed near schools and other educational facilities and existing oil and gas infrastructure within the children’s health buffer zone is phased out. While New Mexicans need a health buffer zone that is protective of all people who frequent places near oil and gas production, a children’s health buffer zone of a mile around educational facilities would be an excellent first step towards protecting all New Mexicans from the harms of oil and gas pollution. Recently, State Land Commissioner Stephanie Garcia Richards implemented a ban on new leasing around schools on state lands. Your leadership can build on that progress by extending that health buffer zone to oil and gas production near schools across the state.

Currently, more than 34,000 of New Mexico’s children attend schools that are surrounded by oil and gas facilities. Many schools in the southeast and northwest corners of the state are enclosed by dozens and even hundreds of oil and gas wells, endangering the health of all those who attend and work at these schools, especially young people who are more vulnerable to pollution. For example, in the northwest corner of the State, in San Juan County, there are approximately 18,000 children in schools within a mile of an oil and gas wells. Almost 750 elementary school children in Bloomfield and Farmington have active gas wells within 1/10 of a mile from their school. The Lybrook Elementary School in Counselor Chapter is encircled by over 20 oil and gas wells within one mile. And in the southeast corner of the state, in the Permian Basin, we found that in Eddy and Lea County there are 35 schools that have oil and gas production occurring within a mile of the school, resulting in about 16,000 children going to school in unsafe conditions. One school, Eunice High School in Lea County, has an active oil well within 1/10 of a mile from the school.

Oil and gas production emits toxic air contaminants, hazardous air pollutants and volatile organic compounds (VOC) harmful to human health. Added to these emissions are those of diesel engines used to power on-site equipment and trucks at oil and gas sites, which emit hazardous air pollutants, fine particulate matter, nitrogen oxides (NOx) and VOCs. NOx and VOCs are precursors to ground-level ozone, which is another health-harming pollutant. San Juan and Eddy Counties have received an “F” grade from the American Lung Association for ground-level ozone pollution, while Lea and Sandoval Counties received a “D” grade.[i]
There is clear evidence that proximity to oil and gas production causes adverse health outcomes, including perinatal and respiratory problems.[ii] Research shows that living near oil and gas wells increases the risks of cancer,[iii] asthma,[iv] birth defects,[v] preterm births and high-risk pregnancies,[vi] low-birthweight babies,[vii] higher hospitalization rates,[viii] and upper respiratory problems and rashes.[ix]

Children and infants are particularly vulnerable to air pollution from oil and gas production because their organs are still developing, and they have higher air per body weight intake than adults.[x] For children, exposure to oil and gas pollution can exacerbate respiratory disease, lead to reduced lung function development and increased asthma, neurodevelopmental disorders, IQ loss, pediatric cancers, and increased risks for chronic diseases.[xi] A peer-reviewed study published this year found that air pollution from the U.S. oil and gas sector in 2016 alone resulted in 410,000 asthma exacerbations, 2,200 new cases of childhood asthma and 7,500 excess deaths, with $77 billion in total health impacts.[xii]

The harmful effects of oil and gas pollution can be partially mitigated by increasing the distance between oil and gas facilities and schools, healthcare facilities, homes, and other places frequented by people.[xiii] Science shows that establishing a setback, or “health buffer” between oil and gas facilities and frequented locations decreases communities’ exposure to harmful air pollution.[xiv] However, most counties within the oil and gas intensive San Juan and Permian Basins, including Lea, San Juan, Sandoval, McKinley and Chavez Counties, have not enacted any county-wide setback requirements for oil and gas drilling sites. County requirements that do exist in New Mexico are not strong enough to protect public health. For example, Eddy County, which ranks 19th among all U.S. counties for ozone pollution, only requires that oil and gas wells be set back 300 feet from “a residence, mercantile establishment, school or church” without written consent of the owner in which case they can be closer. Yet harmful air pollutants from oil and gas production can travel well over a mile.[xv] Given the severe health and safety risks associated with frequent exposure to oil and gas pollution, a statewide health buffer of at least a mile is required to protect New Mexicans from these harms.

In order to protect New Mexico’s children while they are at school, we ask you to lead a policy initiative that mandates a children’s health buffer zone of at least a mile around all educational facilities in the State, and that requires the rapid phasing out of current oil and gas infrastructure within the children’s health buffer zone within the next 3 years. We also ask you to ensure that the Oil Conservation Division and Commission, as well as the New Mexico Environment Department and Environmental Improvement Board, have the additional resources they will need to rapidly develop and implement rules to make these health buffer zones a reality.

In the interim, please follow the recent example of the State Land Office in Executive Order 2023-001 and direct the Oil Conservation Division and the Environment Department to promptly inventory and inspect existing oil and gas facilities within one mile schools and other educational
facilities to ensure that operators are complying with all permit and lease terms, and that they are not conducting illegal venting and flaring and do not have leaks of toxic pollutants. If facilities are found to be out of compliance, we ask that you direct these agencies to take immediate enforcement action.

We would like to work with you to protect New Mexicans from the harms of oil and gas pollution by starting with protecting New Mexico’s children. We are available to meet at your earliest convenience and very much hope to hear from you.

Thank you,

Gail Evans and Silas Grant
Center for Biological Diversity

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Samuel Sage, Community Services Coordinator
Counselor Chapter, Navajo Nation

Daniel Tso, Former Delegate
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Secretary Dr. Arsenio Romero  
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[xiii] Brumberg et al. 2021
